

### Amendments to the Drawings

Minor amendments were made to the drawings. The amended drawings are attached.

In Figs. 1 – 6, a first gearbox assembly is now shown in a box as number 72, and a second gearbox assembly is now shown in a box as number 74.

In Fig. 7, an axis is now shown as number 76. Additionally, in Fig. 7, a plane is now shown as number 80.

The structures now referenced in the amended drawing figures were described in the priority application. Accordingly, no new matter has been added.

### Remarks/Arguments

Original claims 1 – 5 were rejected, under 35 USC 102(b), as being anticipated by Kramer et al. (US 6,299,561). Claims 6 – 10 were objected to, under 37 CFR 1.75(c), as being in improper form, because a multiple dependent claim cannot depend on any other multiple dependent claim. To avoid extensive amendments claims 1 – 10 have now been canceled and new claims 11-23 are submitted herewith.

As stated above, extensive changes were made to the specification to improve its readability. Despite these extensive changes, no new matter was added to the specification.

### New Claims

Claim 11 is a new independent claim. Claim 11 recites “a lubricant at least partially in the first and second gearbox sections, wherein more lubricant is retained in one of the first and second gearbox sections that is operating at a lower speed relative to the other of the first and second gearbox sections that is operating at a higher speed.” This not disclosed in Kramer et al. As shown, in Fig. 5 of Kramer et al., the countershaft gears 114, 116 rotate at the same speed. Thus, the countershaft gears 114, 116 splash lubricant 90 to alternate sections of the dam 96 at an equal rate. This further means that the lubricant 90 will flow back to countershaft gears 114, 116, via the openings 94, at an equal rate. Ultimately, the amount of lubricant 90 available to the countershaft gears 114, 116 will be the same. On the contrary, claim 11 recites that more lubricant resides in the gearbox section operating at a higher speed. For this reason, claim 1 is thought allowable.

Claim 12 is a new dependent claim, and it is dependent on claim 11. Claim 12 is thus thought allowable for this reason.

Additionally, claim 12 is thought allowable for at least one other reason. Claim 12 recites “a ring gear that rotates about an axis” and “a bearing plate defined by a

plane.” Claim 12 further recites that “the axis and the plane are parallel to one another.” This arrangement creates a compact gear assembly. In contrast, Kramer et al. does not show this. In Fig. 5 of Kramer et al, the axis of the countershaft gears 114, 116 is perpendicular to the planes of the walls 92. This arrangement is less compact and requires multiple walls 92. For these reasons, claim 12 is thought allowable.

Claim 13 is a new dependent claim. Claim 13 is dependent on claim 11. For this reason, claim 13 is thought allowable.

Further, claim 13 is thought allowable because it requires “a separator ... [that] extends from the base of the gearbox arrangement up to at least the height of the gearbox shaft.” In contrast, as shown in Fig. 5 of Kramer et al., a separator is not present. Rather, there are walls 92. Thus, claim 13 is thought allowable.

Claim 14 is a new dependent claim. Claim 14 is dependent on claim 13. Therefore, claim 14 is also believed to be allowable.

Claim 15 and 16 are new dependent claims. Claims 15 and 16 are dependent on claim 14. Accordingly, claims 15 and 16 are also thought allowable.

Claim 17 is a new dependent claim. Claim 17 recites “a housing seal, wherein the housing seal is interposed between the separator and the gearbox housing.” As illustrated, in Fig. 5 of Kramer et al., there is neither a separator nor a seal. Kramer utilizes walls 92, which “may be cast with the bottom of the lower housing 86 or may be secured thereto utilizing any other suitable attachment means such as welding, screws, rivets, or bolts.” The walls 92 are not like the separator referred to in claim 17. Plus, even if they were, the walls 92 are either cast or secured using rigid attachment means ( i.e., welding, screws, rivets, or bolts). To the contrary, the housing seal recited in claim 14 is malleable, rather than rigid. For these reasons, claim 17 is believed to be allowable.

Claims 18, 19, and 20 are new dependent claims. Claims 18, 19, and 20 are

dependent on claim 17. Therefore, claims 18, 19, and 20 are also thought allowable.

Claim 21 is a new dependent claim. Claim 21 is thought allowable, because it is dependent on claim 11.

Claim 21 is also believed allowable because it recites "a guide contained within at least one of the first and second gearbox sections." Kramer et al. does not teach this. As shown, in Fig. 5 of Kramer et al., the countershaft gears 110, 112 splash the lubricant 90 from the dam 96 without the help of a guide. Because of this difference, claim 21 is believed to be allowable.

Claims 22 and 23 are new dependent claims. Claim 22 is dependent on claim 11. Thus, claim 22 is thought allowable. Similarly, claim 23 is dependent on allowable claim 12.

#### Conclusion

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525.

Respectfully,

/C. Garrett Bonsell, Reg. No. 63,928/  
Agent for Applicant(s)

C. Garrett Bonsell  
Reg. No. 63,928  
Global Intellectual Property Services  
Deere & Company  
One John Deere Place  
Moline, IL 61265  
Telephone No. (309) 765-4825